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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/687,416

10/16/2003

Karl Thompson

1410-CA

7978

20284

7590

12/05/2005

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EXAMINER

NGUYEN, KHANH V

ART UNIT

PAPER NUMBER

2817

DATE MAILED: 12/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/687,416

Applicant(s)

THOMPSON ET AL.

Examiner

Khanh V. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 11-14, 21 and 23 is/are rejected.
- 7) ☒ Claim(s) 5-9, 15-19 and 22, 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claim 2 is objected to because of the following informalities:

Claim 2 should be rewritten as:

--The method according to claim 1, wherein the master controller for controlling operations of the at least two chopping amplifier stage.—Note, claim 12.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 21, 23 recite the limitation "the non-overlapping periods". There is insufficient antecedent basis for this limitation in the claim. Should claims (21, 23) depend on claims (15, 5), respectively? Note, claims (15, 5) recited "non-overlapping period" claimed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

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the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-4, 10-14, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCartney (6,380,801), cited in Office Action mailed on February 03, 2005.

Regarding claims 1, 11, McCartney discloses the claimed invention except each of the chopping amplifier having a partial gain and wherein the overall gain is a sum of the partial gain amounts of the chopping amplifiers. McCartney (Figs. 1, 3, 5, 8-12) discloses an amplifier circuit comprising: two differential input stages (12, 14) coupled to a chop circuit (16), wherein chop circuit (16) is controlled by CHOP which can be read as a controller, as such differential input stages is functional equivalent as claimed chopping amplifier stages, wherein the amplifier having gain(s) is well known in the art. Therefore, one having ordinary skill in the art would have realized that each of differential input stages (12, 14) must have some inherent gain(s) which can be read as partial gain(s), and an overall gain is the sum of the inherent gain(s) of the differential input stages (12, 14) in an output stage (20) since the outputs of the differential input stages (12, 14) shared a common output stage.

Regarding claims 2, 11, wherein operations of on/off of switches in the chop circuit (16) are controlled by the CHOP (controller).

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Regarding claims 3, 4, 13, 14, wherein Fig. 10 further discloses two chop circuits (120a, 102b) inherently seen independently controlled and having its own chopping operation as claimed in claim 4.

Regarding claims 10, 20, wherein stages (12, 14) are coupled in parallel.

Allowable Subject Matter

Claims 5-9, 15-19, 21-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 21, 23 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims 5, 6, 15, 16, 21, 23 call for, among others, chop clock signals of the amplifiers have non-overlapping periods.

Claims 7-9, 17-19 call for, among others, wherein each amplifier contributes 1/N amount of an overall gain.

Claims 22, 24 call for, among others, operations of the circuit during switching/non-switching periods.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The additional reference (Bakker et al. (Fig. 1)) shows schematic of a chopping circuit in a single stage chopping amplifier.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh V. Nguyen whose telephone number is (571) 272-1767. The examiner can normally be reached from 8:00 AM - 3:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571) 272-1769. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Khanh Van Nguyen', with a long horizontal flourish extending to the right.

KHANH VAN NGUYEN
PRIMARY EXAMINER
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